

The Town of Spring Lake

BOARD OF ALDERMEN

JAMES P. O'GARRA, MAYOR PRO TEM
JAMES CHRISTIAN, ALDERMAN
RICHARD P. HIGGINS, ALDERMAN
FREDRICKA SUTHERLAND, ALDERWOMAN



CHARTERED IN 1951

OFFICE OF THE MAYOR

ETHEL T. CLARK, MAYOR

ADMINISTRATION

TOMMY BURNS, TOWN MANAGER
RHONDA D. WEBB, TOWN CLERK
JOHN H. JACKSON, TOWN ATTORNEY

TOWN OF SPRING LAKE BOARD OF ALDERMEN SPECIAL MEETING NOTICE

The Mayor of the Town of Spring Lake hereby calls a SPECIAL MEETING of the Board of Aldermen at the time, place, and for the purpose set out below:

DATE: December 6, 2011

TIME: 6:00 PM

PLACE: Grady Howard Conference Room, Spring Lake Municipal Building
300 Ruth Street, Spring Lake, NC

- PURPOSE: 1. Approval of Minutes of the November 28, 2011 Regular Meeting
2. Resolution (2011) 32, Amend Personnel Policy, Certification Pay
3. Closed Session G.S. 143-318.11(a)(1)
Privilege-Confidential – Approval of Closed Session Minutes
and
Closed Session G.S. 143-318.11(a)(3)
Attorney-Client Privilege

This 1st day of December, 2011.

Certification: I certify that the above notice was published on the bulletin board, Spring Lake Municipal Building, and delivered to each member of the Board or left at the usual place of each at least 48 hours before the meeting as required by NCGS 143-318.12.

Rhonda D. Webb, MMC
Town Clerk

Town of Spring Lake
Regular Meeting of the Board of Aldermen
Municipal Building
300 Ruth Street
Spring Lake, NC 28390

November 28, 2011

MINUTES

7:00 p.m.

The Spring Lake Board of Aldermen held a regular scheduled meeting in the Grady Howard Conference Room of the Spring Lake Municipal Building with Mayor Ethel T. Clark presiding.

Board Members Present: Mayor Pro Tem James O'Garra
Alderman James Christian
Alderman Richard Higgins
Alderwoman Fredricka Sutherland

Others Present:

Byron Blumenfeld, Water Resource Manager	Troy McDuffie, Police Chief
TJ McLamb, Fire Chief	Ken Metcalf, Recreation Director
Tina West, HR Director	Rhonda Webb, Town Clerk
Mayor-Elect Chris Rey	Alderman-Elect Napoleon Hogans

Tommy Burns, Town Manager and John Jackson, Town Attorney were absent.

2. Invocation

Alderwoman Sutherland gave the invocation.

3. Pledge of Allegiance

Mayor Clark led the meeting in the pledge of allegiance.

4. Additions or Deletions to Agenda

The closed session was deleted from the agenda and rescheduled for December 6, 2011 at 6:00 p.m.

Action: The Board approved a motion to delete the Closed Session from the agenda.

Motion by: Mayor Pro Tem O'Garra

Second by: Alderman Higgins

Vote: Unanimous

5. Approval of Agenda

The Board approved the agenda as amended.

Action: The Board approved a motion to approve the agenda as amended.

Motion by: Alderman Higgins

Second by: Mayor Pro Tem O'Garra

Vote: Unanimous

(A copy of the agenda is hereby incorporated by reference and made a part of these minutes – see attachment one.)

6. Approval of Consent Items

The Board approved the consent items:

- a. Minutes of the November 14, 2011 Special Meeting
- b. Minutes of the November 14, 2011 Regular Meeting

Action: The Board approved a motion to approve the minutes of the November 14, 2011 Special and Regular meetings.

Motion by: Alderwoman Sutherland

Second by: Mayor Pro Tem O'Garra

Vote: Unanimous

7. Public Forum

Marvin and Janine Lackman of 125 Kristin Avenue spoke concerning dogs that are chained in her neighborhood that are not being taken care of. She also requested that the Town consider a leash law. Mayor Clark requested that they speak with Chief McDuffie.

Ms. Rose Chestnut of 1003 Karen Circle spoke concerning her trash not being picked up. She stated that a town employee told her that she would contact Waste Management via email but did not give the email address to Ms. Chestnut. The trash is still there and has not been picked up as of today.

8. Public Hearing

a. Case No. 94-035. Consideration of the Sleep Inn – Addition, Request for Alternate Yard Setback Requirement
Mayor Clark opened the public hearing on this case. Mr. Scott provided an update concerning the section numbers of the Town's Code that was referenced in the advertisement. He advised that Section 156.153 was changed to Section 42-366. Mayor Clark then swore in Anthony Blanks and Billy Wellons who signed up to speak concerning this case. She then gave the Board of Aldermen members the opportunity to disclose any conflicts and there were none.

Mayor Clark opened the floor to Mr. Scott from the Planning Department. He advised that the applicant is requesting a setback of an additional 15 feet 6 inches to accommodate an elevator and shaft. Mr. Blanks provided a photograph of the area where the elevator will be installed. He stated that they want to update the hotel to better serve the aging population as well as wounded soldiers. Mr. Wellons stated that in today's industry there is a mandate to keep up with the competition and they plan to perform a major renovation of the property.

Action: The Board approved a motion to close the public hearing on Case No. 94-035.

Motion by: Alderwoman Sutherland

Second by: Mayor Pro Tem O'Garra

Vote: Unanimous

(A copy of the agenda memo is hereby incorporated by reference and made a part of these minutes – see attachment two.)

9. New Business

a. Case No. 94-035, Sleep Inn

The Board approved Case No. 94-035.

Action: The Board approved a motion to approve Case 94-035.

Motion by: Alderwoman Sutherland

Second by: Mayor Pro Tem O'Garra

Vote: Unanimous

(A copy of the agenda memo and Cumberland County Planning and Inspections Department Action Memorandum and Site Profile is hereby incorporated by reference and made a part of these minutes – see attachment three.)

b. Ordinance (2011) 18, Amending Traffic and Parking Schedule

Ms. Webb advised that the North Carolina Department of Transportation had requested that the Board approve the Certifications of Municipal Declarations as a housekeeping measure. She advised that changes would reflect the way the roadways were already marked. Additionally, enacting the municipal school zones will allow for an increased penalty around the schools.

Action: The Board approved a motion to adopt Ordinance (2011) 18.

Motion by: Alderwoman Sutherland

Second by: Alderman Higgins

Vote: Unanimous

(A copy of the agenda memo, NC DOT Municipal Certifications, the Traffic Schedule and Ordinance (2011) 18 is hereby incorporated by reference and made a part of these minutes – see attachment four.)

c. Board's Consideration of 2012 Holiday Schedule

Ms. West advised that the Board is required to approve the holiday schedule each year. She requested that the Board approve the 2012 Holiday Schedule. There was a short discussion about the State's Holiday Schedule and that the Town tries to follow as closely as possible the State's schedule as do some surrounding municipalities. However, in 2012, the State's schedule is allowing three days off for Christmas and Ms. West felt it would not be prudent to have Town Hall closed for that length of time. Therefore, she recommended only two days at Christmas and included President's Day for the Town's holiday schedule.

Action: The Board approved a motion to approve the 2012 Holiday Schedule.

Motion by: Alderman Christian

Second by: Mayor Pro Tem O'Garra

Vote: Unanimous

(A copy of the agenda memo and the 2012 Holiday Schedule is hereby incorporated by reference and made a part of these minutes – see attachment five.)

d. Resolution (2011) 32, Amending Personnel Policy, Certification Pay

Ms. West advised that the certification pay request was created in an effort to develop and retain qualified employees. The specifics are outlined in the policy and pay increases must be approved by the Town Manager.

Alderwoman Sutherland stated that she would like to table this item until the Board has more time to discuss this item with the Manager. She expressed concern about the policy not being equitable to all employees because some employees do not have to have certifications. Ms. West advised that this policy will not apply to people who obtain certifications that are required as part of their minimum job description. She stated that currently we do not have a provision to give pay increases based on certifications obtained. Alderwoman Sutherland clarified that all employees will be eligible for this and Ms. West stated that they would. She stated that unless otherwise outlined in the schedules of the policy, a job-related certification obtained would result in a 2% increase upon approval of the Town Manager.

Alderman Christian asked if the increases would be retroactive and Ms. West stated that they would not. He also inquired if the pay increases are allocated in the current budget. Ms. West advised that each Department Director would have to make sure their budget could support a requested increase. This will be something the Department Directors will have to plan for. He also inquired if the Town pays for the employee to obtain certifications and Ms. West stated we do. He also stated that he would feel more comfortable if we waited until the Town Manager returns to approve this item.

Action: The Board approved a motion to table any action on this item until we can discuss it further with the Town Manager.

Motion by: Alderman Christian

Second by: Alderwoman Sutherland

Vote: Unanimous

(A copy of the agenda memo, proposed section 16 of the Personnel Policy, Administrative Policy #13 and Resolution (2011) 32 is hereby incorporated by reference and made a part of these minutes – see attachment six.)

e. Resolution (2011) 33, Acceptance of Bids for Financing on Mendoza Park

Mr. Coats advised that few banks are interested in financing projects of this nature (improvements to property) and only received one bid from BB&T. They offered us a ten year rate of 2.43%. The annual debt payment would begin at \$45,798.34 and decline each year thereafter with a final payment of \$37,740.33. He advised that the Town is paying off loans on the Fire Department ladder truck and for the land across the street from the community center. These payoffs will provide the needed funds to pay the debt payment on this loan.

Action: The Board approved a motion to approve Resolution (2011) 33.

Motion by: Alderwoman Sutherland

Second by: Alderman Higgins

Vote: Unanimous

(A copy of the agenda memo, table of proposals and Resolution (2011) 33 is hereby incorporated by reference and made a part of these minutes – see attachment seven.)

f. Budget Amendment 2012.8, Recreation Department

Mr. Coats requested that the Board approve the Budget Amendment to budget fundraiser money that was received during the fall season.

Action: The Board approved a motion to adopt Budget Amendment 2012.8.

Motion by: Alderman Higgins

Second by: Mayor Pro Tem O'Garra

Vote: Unanimous

(A copy of the agenda memo, memo from Recreation Director and Budget Amendment 2012.8 is hereby incorporated by reference and made a part of these minutes – see attachment eight.)

g. Budget Amendment 2012.9, Police Department

Mr. Coats stated that this Budget Amendment will recognize local grant funds for use in the Shop-A-Cop program and to budget funds left over from last year's program.

Alderwoman Sutherland inquired how the children are chosen and what the deadline is. Chief McDuffie stated that the deadline is not set yet. Last year a school official helped the Police Department select the children and will most likely be the process that is used again this year. Alderman Christian asked if they accept donations and Chief McDuffie stated that donations are welcome.

Action: The Board approved a motion to approve Budget Amendment 2012.9.

Motion by: Alderman Christian

Second by: Alderwoman Sutherland

Vote: Unanimous

(A copy of the agenda memo, memo from Chief McDuffie and Budget Amendment 2012.9 is hereby incorporated by reference and made a part of these minutes – see attachment nine.)

h. Board's Consideration of December 26, 2011 Regular Meeting

Mayor Clark stated that the meeting scheduled for December 26, 2011 falls during the holiday season for employees and requested that the meeting be cancelled.

Action: The Board approved a motion to cancel the December 26, 2011 Board Meeting.

Motion by: Alderman Higgins

Second by: Mayor Pro Tem O'Garra

Vote: Unanimous

(A copy of the agenda memo is hereby incorporated by reference and made a part of these minutes – see attachment ten.)

Mayor Clark advised that Mr. Burns is not here tonight because he is the proud father of a baby girl named Addison who was born last Wednesday and he is home taking care of Addison and Addison's mother.

The closed session that was scheduled for tonight will be rescheduled for December 6, 2011 at 6:00 p.m.

The December 12, 2011 Regular Board Meeting has been rescheduled to December 16, 2011 at 5:30 p.m. at the Spring Lake Multipurpose Community Center.

The Town's Annual Tree Lighting is scheduled for Monday, December 5, 2011 at 6:00 p.m.

The Town's employee luncheon is scheduled for December 14, 2011 at 12:00 p.m. and the Senior's luncheon is scheduled for December 5, 2011 at 12:00 p.m.

10. Adjournment.

Action: There being no further business to come before the Board, the meeting was adjourned at 7:48 p.m.

Motion: Alderwoman Sutherland

Second by: Alderman Christian

Vote: Unanimous

Rhonda D. Webb, MMC
Town Clerk

ATTEST:

Ethel T. Clark
Mayor



Special Meeting Item No. 2
Request for Town Aldermen Action

To: Honorable Mayor and Board of Alderman
From: Tina J. West, Director of Human Resources
Date: December 6, 2011
Subject: Amendment to the Town of Spring Lake Personnel Policy

Overview:

In an effort to develop and retain qualified employees, management has requested that a certification pay provision be authorized in the Personnel Policy. Certification pay increases would be a valuable tool in retaining those employees that the Town has invested time and resources in developing.

Certification pay increases would be approved by the Town Manager, in accordance with an established policy, for certifications that are mandated for position standards and for certifications that have been determined to be of significant value to the department.

Recommendation:

Approve Resolution (2011) 32 amending the Article XII "Pay Plan" to include the addition of Section 16 Certification Pay."

Action Needed:

Motion to approve Resolution (2011) 32.

Attachments:

- Proposed Amendment to Article XII "Pay Plan" Section 16 "Certification Pay."
- Administrative Policy 13
- Resolution (2011) 32

Article XII. Pay Plan

Section 16. Certification Pay

The Town of Spring Lake encourages all employees to seek out training that will assist them in their jobs. Certification pay increases shall be granted in an effort to remain competitive with surrounding agencies, meet mandated position standards, and to develop and retain a more qualified employee.

a. Authority Granted.

The Town Manager is authorized by the Board of Aldermen to grant pay increases for employees who are mandated to obtain various certifications in order to effectively perform the duties of employment.

b. Eligible Employees.

Full time, regular employees shall be eligible to receive pay increases for obtaining approved certifications.

Certification pay increases that result in an employee exceeding the established salary range shall not be granted.

c. Procedural Requirements.

Certification pay shall be authorized and implemented in compliance with the Town of Spring Lake Administrative Policy 13 "Training and Certification Policy."

Town of Spring Lake	ADMINISTRATIVE & FINANCIAL POLICIES		SUBJECT: Training and Certification Policy	
	Number 13	Revisions	Manager's Approval Date	
North Carolina	Supersedes	Effective Date		Page 1 of 5

13.0 STATEMENT OF PURPOSE

The Town of Spring Lake encourages all employees to seek out training that will assist them in their jobs. The purpose of this policy is to outline the Town of Spring Lake's expectations, requirements, and benefits regarding training seminars, community college courses, and certification schools and exams.

13.1 TRAINING SEMINARS

An employee who is interested in attending a seminar should request permission from their immediate supervisor. The supervisor will assist in the preparation and submission of the appropriate documentation in accordance with the Town of Spring Lake Administrative Policy 10 "Travel Policy." Upon approval, the employee will be allowed to attend the seminar during working hours, and will be paid their regular salary for the time spent in training and travel (out-of-state travel must be approved by the Town Manager). If approved, the seminar, lodging (if required), and transportation costs will be paid by the Town, as well as a per diem for meals in accordance with the Town of Spring Lake's Rate and Fee Schedule (if meals are not included with the seminar).

13.2 COLLEGE COURSES

College courses may be taken by employees outside of regular working hours. Courses during working hours are typically not allowed but may be considered by the Town Manager on a case-by-case basis, if the work time can be made-up with a minor schedule adjustment. Employees will not be paid for their time spent in college courses. The course must be pre-approved by the Town Manager. If the course is determined to be directly beneficial and/or necessary for their job, the Town will pay for the employee's tuition and course materials. If the employee fails to successfully complete the course, the Town shall be reimbursed for all expenses associated with the course.

13.3 CERTIFICATION SCHOOLS AND EXAMS

Every attempt will be made to send employees to all necessary certification schools each year. The employee will be required to attend all sessions of the school and return a copy of the school completion certificate to their supervisor. A copy of the certificate shall be forwarded to the Director of Human Resources for inclusion in the employee's permanent personnel file. The employee will attend the school during working hours and will be paid their regular salary for the time spent in school and travel. The school, lodging (if required), and transportation costs will

be paid by the Town, as well as a per diem for meals in accordance with the Town of Spring Lake's Rate and Fee Schedule (for any meals not included with the school).

The appropriate number of certification school and exam opportunities shall be determined by the department and based on the individual requirements of obtaining the certification. If the employee is unsuccessful in passing the exam within the prescribed time frame, the Town will not pay for any further schools or exams for that certification level for the employee. Any further attempts for the certification will be the responsibility of the employee, to include all costs and time required.

An employee, who fails a certification exam that is paid for by the Town, will be required to review the failed test (as noted in their exam failure letter) before being allowed to re-take the exam. If the exam is not reviewed by the employee, the employee may be prohibited from future certification opportunities. A certification that is mandated as part of an employee's assigned responsibility must be obtained within the prescribed time frame or the employee shall be subject to reassignment, demotion, or termination.

The employee must provide the supervisor with a copy of all correspondence and certificates received in association with certification schools and exams. This includes confirmation of school registration, certificate of school attendance, confirmation of acceptance to take exam, and the certification certificate or notification of exam failure.

13.4 CERTIFICATION BENEFITS

The Department Director shall recommend all certifications that would result in a pay increase to the Town Manager for approval prior to the employee being authorized to obtain the certification. The Town Manager's decision shall be based on the departments need, retention efforts, and mandated position standards.

Unless otherwise outlined in the Schedules listed below, a job-related certification received while employed by the Town will result in an additional 2% recommended pay increase. The Town will pay for annual renewals for approved job-related certifications. The renewal forms should be given to the employee's supervisor in a timely manner in order for remittance processing.

Schedule A. Inspection Department

	Building	Electrical	Mechanical	Plumbing	Fire**
Level I *	5%	5%	5%	5%	2.5%
Level II	5%	5%	5%	5%	2.5%
Level III	5%	5%	5%	5%	2.5%

*Level I Standard Certificates are required by job description. An Inspector is not fully qualified until Standard Certificates are held in each trade at a minimum of Level I. This establishes a minimum standard for employment and should an Inspector fail to be awarded Standard Certificates at Level I within two

years the Probationary Certificates which are issued would expire without any possibility of extension. The individual could not perform any inspections in a trade which no certificate was held.

**Fire Inspections are not part of the area of inspection responsibility for this department. Should an individual become a Level III Fire Inspector the Town would benefit and compensation should be appropriate.

**Schedule B.
North Carolina Housing Code Official**

	Pay Percentage
Certification	2.5%

**Schedule C.
Street Department, Stormwater, Public Buildings Department**

	Right of Way	Turf and Ornamentals	Aquatics	Public Health
Herbicide/Pesticide Application License	5%	5%	5%	5%

The requirement for licensing of individuals to purchase and apply commercially herbicides and pesticides falls under the duties of the Street, Stormwater and Public Buildings Departments. The requirement is an "other duties as assigned" type, justifying compensation. The availability of license holders allows fertilizer applications, fire ant treatment in localized areas to be accomplished by staff in lieu of outsourcing.

**Schedule D.
Cross Connection/Water Operations/Wastewater Treatment Plant/Stormwater**

	Cross Connection	Wastewater Treatment Plant	Wastewater Collection	Water Distribution	Land Application	Stormwater
ORC	5%					
Back-up ORC	5%					
Cross Connection Tester	5%					
Cross Connection Maintenance	5%					
Grade I		5%				
Grade II		5%				
Grade III ORC		5%				

Grade IV		2.5%				
Grade I			5%			
Grade II			5%			
Grade III			2.5%			
ORC License A				5%		
License B				5%		
License C				5%		
ORC					5%	
Back-up ORC					5%	
BMP Inspector						5%
Plans Review						5%

13.5 EXCEPTIONS

Certification pay increases shall not be granted for those training or certifications that have been deemed minimum requirements unless the requirement is added after the employee's initial employment. Certification pay increases that result in an employee exceeding the established salary range shall not be granted.

The Town Manager may grant an exception or variance to the application of this policy in order to accomplish the overall intent to develop a qualified employee base.

INDEX

13.0 Statement of Purpose 1
13.1 Training Seminars..... 1
13.2 College Courses 1
13.3 Certification Schools and Exams..... 1
13.4 Certification Benefits.....2
13.5 Exceptions.....4

Town Manager's Signature: _____

Date: _____

RESOLUTION NO (2011) 32

A RESOLUTION OF THE BOARD OF ALDERMEN OF THE TOWN OF SPRING LAKE, NORTH CAROLINA; AMENDING THE TOWN OF SPRING LAKE PERSONNEL POLICY.

- WHEREAS,** On May 24, 1999, the Board adopted the Town of Spring Lake Personnel Policy to establish a uniform set of guidelines that are applicable to Town employees, and
- WHEREAS,** The Board recognizes the need to maintain a Personnel Policy that is inclusive of any type policy that governs the compensation and benefits of the Town's employees, and
- WHEREAS,** Management has evaluated the requirement to mandate employees to obtain training and certifications that are essential to the effective operation of the Town; and
- WHEREAS,** Management acknowledges the necessity of retaining those employees in which the Town has invested valuable time and resources in developing; and
- WHEREAS,** Management proposes and amendment to Article XII "Pay Plan" to include the addition of Section 16 "Certification Pay"; and
- WHEREAS,** The proposed amendment to Article XII "Pay Plan" Section 16 "Certification Pay" would grant the Town Manger the authority to administer a certification pay increase policy; and
- WHEREAS,** The proposed to Article XII "Pay Plan" Section 16 "Certification Pay would allow for the Town to remain competitive with surrounding agencies, meet mandated position standards, and assist in efforts to develop and retain a more qualified employee.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND BOARD OF ALDERMEN OF THE TOWN OF SPRING LAKE, NORTH CAROLINA, THAT THE TOWN OF SPRING LAKE PERSONNEL POLICY ARTICLE XII "PAY PLAN" BE AMENDED TO INCLUDE THE ADDITION OF SECTION 16 "CERTIFICATION PAY" AS FOLLOWS:

Article XII. Pay Plan

Section 16. Certification Pay

The Town of Spring Lake encourages all employees to seek out training that will assist them in their jobs. Certification pay increases shall be granted in an effort to remain competitive with

surrounding agencies, meet mandated position standards, and to develop and retain a more qualified employee.

a. Authority Granted.

The Town Manager is authorized by the Board of Aldermen to grant pay increases for employees who are mandated to obtain various certifications in order to effectively perform the duties of employment.

b. Eligible Employees.

Full time, regular employees shall be eligible to receive pay increases for obtaining approved certifications.

Certification pay increases that result in an employee exceeding the established salary range shall not be granted.

c. Procedural Requirements.

Certification pay shall be authorized and implemented in compliance with the Town of Spring Lake Administrative Policy 13 "Training and Certification Policy."

Adopted this 6th day of December, 2011

Ethel T. Clark
Mayor

Attest:

Rhonda D. Webb, MMC
Town Clerk